



report for the BOS. After the public hearing the BOS can approve the application (with or without conditions), deny the application, or defer the item for further consideration. After the BOS takes its final action, if approved, the applicant will receive an approval letter from staff regarding the permit; this approval letter will include any conditions placed on the approval as well as any expiration dates for the approval. Site plans and building permits are required for any new construction.

How long does it take to get a Special Exception?

The BOS must render a decision no later than its second regular monthly meeting following the hearing. However, with the applicant's consent, the timeline can be extended.

How can I learn more about the process?

Visit the Planning Division at 10 Hotel Street, Third Floor, Suite 305, Warrenton, VA 20186, or call 540-422-8210. The office is open between the hours of 8:00 a.m. and 4:30 p.m.

FAUQUIER COUNTY

DEPARTMENT OF COMMUNITY DEVELOPMENT

PLANNING DIVISION

10 Hotel Street
Third Floor
Warrenton, Virginia 20186
Phone: 540-422-8210
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Additional information available online at
www.fauquiercounty.gov

Special Exception Process



FAUQUIER COUNTY

DEPARTMENT OF COMMUNITY DEVELOPMENT

08/2013

Frequently Asked Questions

What is a Special Exception?

A Special Exception is a permit for a use or structure that is not allowed as a matter of right, but may be permitted, if certain standards defined in the Zoning Ordinance are met. A Special Exception use is one that may be appropriate in certain site locations but not in all locations; thus, review is made on a case-by-case basis to ensure the surrounding area and wider community are not adversely affected by the use.

When do I need a Special Exception?

The Fauquier County Zoning Ordinance allows for a wide variety of land uses and those specifically allowed will depend on the district in which a property is located. Some of the uses are only allowed with approval of a Special Exception. Article 3 of the Zoning Ordinance lists the uses that require a Special Exception. Examples of uses requiring a Special Exception include Primary School, Continuing Care Facility, Floodplain Uses and Special Events. Contact the Zoning Division at 540-422-8220 for information on a specific property.

How do I apply for a Special Exception?

The Zoning Ordinance requires that all applicants for a Special Exception have a pre-application meeting with staff prior to submitting an application. Contact the Planning Division at 540-422-8210 to discuss and set up this meeting. Once the pre-application meeting is held, the application may be filed. The application and the Special Exception checklist (which includes any additional information required) are both

available online (cdforms.fauquiercounty.gov) and will also be provided to applicants at the pre-application meeting. The application can be prepared by the applicant without the help of consultants or an attorney, although many applicants choose to hire a representative.

Is there an application fee?

Yes. The fees for a Special Exception are generally in the range of \$700 to \$1,000. A few uses require a high level of review and the fees for those are higher. Additional Special Exception uses are generally \$500. If multiple uses are requested, a fee for each is required. Please check with Zoning Staff about a specific application.

Is there a deadline for filing an application?

An application must be filed no later than 60 calendar days prior to the Planning Commission's (PC) meeting. The PC meets the last Thursday of each month in the Warren Green Building at 10 Hotel Street, Warrenton, Virginia, 20186. Filing deadlines for Special Exceptions can be found on the Planning Commission's webpage at <http://www.fauquiercounty.gov/government/departments/commdev/index.cfm?action=meetingschedule>.

How does the review process work?

After an application has been accepted, it will be reviewed by various County and State Agencies. As comments are received, staff will contact the applicant to resolve any identified issues, to the extent possible, prior to the PC meeting. Staff will send letters to adjoining property owners notifying them of the PC meeting. The applicant is required to post notice signs (prepared by staff) on the property at least 15 days prior to

the PC hearing date, and then to provide an affidavit to staff showing that the posting was done at the required time.

Staff will prepare a report on the application. This staff report will be provided to the PC, with a copy to the applicant in advance of the meeting. Copies of the report will also be available to the public and online at agenda.fauquiercounty.gov. The report may include recommendations from staff on appropriate conditions to place on any approval. The day of the PC meeting, a work session is typically held, and applicants are encouraged to attend. The work session is an opportunity to discuss requests in an informal setting. The PC holds its public hearing in the evening, starting at 6:30 p.m. The applicant and public will have the opportunity to speak at the hearing. After the public hearing is held, the PC can recommend approval (with or without conditions), recommend denial, or defer the item for further consideration. If the PC defers the item, it will be brought back at a future meeting date for action.

What happens after the PC makes a recommendation?

Once the PC makes its recommendation, the item moves forward for Board of Supervisors' (BOS) consideration. The BOS meets the 2nd Thursday of each month. Typically a case acted upon by the PC goes to the BOS the second month thereafter (i.e., action by the PC in January would result in a March hearing date). Prior to the meeting date, notices are again sent and posting is required just as it was with the PC meeting. Staff will prepare an updated